



IN THE DISTRICT COURT OF CHERRY COUNTY, NEBRASKA

BETTY M. RODGERS, TRUSTEE OF THE
BETTY M. RODGERS REVOCABLE TRUST,

Plaintiff,

v.

JACKSON NATIONAL LIFE INSURANCE
COMPANY,

Defendant.

Case No. CI13-26

COMPLAINT

Betty M. Rodgers, Trustee of the Betty M. Rodgers Revocable Trust, for
her claims against defendant, states:

FIRST CLAIM

1. Betty M. Rodgers is an individual, resident of Valentine, Cherry County,
Nebraska and is the trustee of the Betty M. Rodgers Revocable Trust. Ronald G. Rodgers
is the spouse of Betty M. Rodgers.

2. Defendant Jackson National Life Insurance Company is a life insurance
company with its principal place of business in Lansing, Michigan and conducts business
in the State of Nebraska.

3. On or about February 28, 2011, defendant issued a life insurance policy
to plaintiff insuring the life of Ronald G. Rodgers in the amount of \$250,000.00. The
owner of the policy is the Betty M. Rodgers Revocable Trust.

4. The policy required semi-annual premiums in the amount of \$4,250.50.
Invoices were mailed to plaintiff and payment was made to defendant by check.

5. The general provisions of the insurance policy include:



GRACE PERIOD. If the Cash Surrender Value on any Monthly Anniversary is insufficient to pay the Monthly Deduction or is less than or equal to zero, this Policy will enter a 61-day grace period. However, if within the first five Policy Years the sum of all Premium paid less the sum of all total partial surrenders and less any indebtedness is greater than the sum of the Minimum Monthly Premiums payable to date, the Policy will not enter the grace period as long as the Accumulated Value less any indebtedness is greater than zero.

Written notice of the Premium required to continue this Policy in force will be mailed to You at Your last known address or any assignee of record at least 31 days prior to the date the Policy will lapse. If the Premium is not paid within the grace period, all coverage under this Policy will end without value at the end of the 61-day period.

If the insured dies during the grace period, We will deduct any overdue Monthly Deductions from the Death Benefit Proceeds.

6. On or about July 9, 2013, plaintiff received an invoice from defendant for the semi-annual premium.

7. Plaintiff received from defendant a lapse notice dated October 8, 2012, stating that the policy had lapsed without value and all coverage of the policy had ended.

8. Plaintiff received no grace period notice from defendant.

9. Plaintiff applied to defendant for reinstatement of the policy, but defendant refused to reinstate.

10. Defendant breached the insurance contract by failing to provide the proper grace period notice and by canceling the policy .

WHEREFORE, plaintiff prays for judgment against defendant for breach of contract, for damages for such breach, and for her costs incurred.

SECOND CLAIM

11. Plaintiff realleges the allegations contained in paragraphs 1 through 10 of plaintiff's first claim.

12. Defendant improperly canceled plaintiff's insurance coverage.

WHEREFORE, plaintiff prays for an order of this court requiring defendant to reinstate plaintiff's life insurance policy, and for such further relief as the Court deems just and equitable.

DATED: April 26, 2013.

BETTY M. RODGERS, TRUSTEE OF THE
BETTY M. RODGERS REVOCABLE TRUST,
Plaintiff,

By 

Larry W. Beucke, #18444
PARKER, GROSSART, BAHENSKY,
BEUCKE & BOWMAN, L.L.P.
1516 First Avenue, P.O. Box 1600
Kearney, NE 68848
(308) 237-2114, (308) 2347-4989 fax

Image ID:
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SUMMONS

Doc. No. 4183

IN THE DISTRICT COURT OF Cherry COUNTY, NEBRASKA
Cherry County Courthouse
365 N Main
Valentine NE 69201

Betty M Rodgers v. Jackson National Life Insurance Co.

Case ID: CI 13 26

TO: Jackson National Life Insurance

FILED BY
Clerk of the Cherry District Court
04/29/2013

You have been sued by the following plaintiff(s):

Betty M Rodgers

Plaintiff's Attorney: Larry W Beucke
Address: 1516 First Avenue
P.O. Box 1600
Kearney, NE 68848-1600
Telephone: (308) 237-2114

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: APRIL 29, 2013

BY THE COURT:

Maudeane Rodgers
Clerk

PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

Jackson National Life Insurance
Attn: Michael A. Wells, President
1 Corporate Way
Lansing, MI 48951

Method of service: Certified Mail

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.

